

JEFF J. MINCKLER

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OFFICE ADDRESS

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ROSTERS & PERMANENT PANELS:

Alaska Labor Relations Agency
State of Alaska and International Organization of Masters, Mates and Pilots
California Employment Relations Board
Federal Mediation and Conciliation Service, Regions 1 & 2
Montana Board of Personnel Appeals
Nebraska Commission of Industrial Relations
Nevada Employee-Management Relations Board
Oregon Employment Relations Board
Phoenix City Employment Relations Board
Washington Employment Relations Commission

RELATED EDUCATION:

University of Montana (Communications and Business Administration)
American Arbitration Association University
Cornell University Graduate School of Industrial and Labor Relations
Arizona Supreme Court and Attorney General ADA course
Federal Mediation and Conciliation Service Institute

RELATED EMPLOYMENT:

Academic: University instructor (1972) - *Research and case preparation.*

Labor: Representative, AFL-CIO local (1973-1974) - *Representation in negotiations, grievances, arbitration and contested cases for a 350-member private sector local.*

Management: Specialist, Montana State Labor Relations Bureau (1974-1977); Bureau Chief and Governor's Designee for Collective Bargaining (1977-1979) - *Governor's representative for negotiations, grievances and arbitration, unfair labor practice and other contested case hearings; supervision of labor relations staff to deal with the state's 70+ bargaining units.*

Labor: Representative, Montana Public Employees Association (1979-1982) - *Regional Manager and chief negotiator of the master contract for the state's largest public sector union; representation for 14 bargaining units in negotiations, grievances, arbitration, and contested case hearings.*

Management: Director of Labor Relations, Montana School Boards Association (1982-1986) - *Representation in negotiations, grievances, arbitration and contested case hearings; labor relations training and consultation; supervision of labor relations staff to represent the state's 150+ organized school districts.*

Labor & Management: Private practice (1986-2011) - *Representation and consultation for private and public sector employer and union clients in negotiations, grievances and arbitration, and in contested cases before state boards and the National Labor Relations Board.*

Neutral: Arbitrator and factfinder (2011-present)

PROFESSIONAL AFFILIATIONS:

Association for Conflict Resolution and local chapters
Labor and Employment Relations Association and local chapters
California, Montana and Washington arbitration/mediation associations

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INDUSTRY EXPERIENCE:

Airport, ambulance, asphalt, cemetery, chemical, clerical, communications, construction, custodial, education, electrical, fire, food preparation and handling, health care and nursing, jail and prison, law enforcement, legal, lumber and plywood, maritime, metal, natural gas, public works, road and bridge, sanitation, security, solid waste, technology, transportation, trucking, water and wastewater.

ISSUE EXPERIENCE:

Alcohol and drugs, arbitrability (scope, timeliness, and issue preclusion), assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, fact-finding (advisory and binding), insubordination, insurance, layoff, leave benefits and abuse, longevity, misuse of equipment, off-duty conduct, past practice, premium pay, promotion, public speech, reduction in force, safety, seniority, subcontracting, tardiness, theft, training, wage and benefit comparisons, work rules, workplace harassment and violence.

PRESENTATIONS & WRITINGS:

Keynote addresses for public and private sector employers and unions
Section and panel presenter at state and national conventions

Sample of topics:

- Standards of Contract Interpretation
- Affirmative Defenses in Arbitration
- The Use of After-acquired Evidence in Arbitration
- Dissecting Just Cause
- Past Practice Application and Exceptions
- Public Speech Protections and Exceptions
- The Requirements of Due Process
- Weingarten* and *Garrity* Protection
- The Duty/Off-duty Nexus
- The Law of the Collective Bargaining Hiatus
- Tenured and Nontenured Teacher Dismissal and Nonrenewal
- Satisfying the Requirements of Due Diligence
- Fair Labor Standards Act in the Private and Public Sectors
- A Dozen Variations of Seniority
- Brady* List Impact on Continuing Employment
- Attempting Crystal Clear Contracts

Advanced discipline and discharge course for unions and employers

Coordinator and instructor of university arbitration course for all advocates

FEES & EXPENSES: *(unless otherwise established by statute or panel agreement)*

Base fee: Grievance arbitration: \$1,000; interest arbitration, factfinding, mediation: \$1,250.

Proceeding: Base fee per day; time over 8 hours is prorated. No docketing fee. No charge for preliminary or post-proceeding matters unless significant time is required.

Rescheduling: Ticket change fee or cost of nonrefundable ticket and reservation.

Cancellation: Ticket change fee or cost of nonrefundable ticket and reservation. Base fee for days reserved if hearing is vacated 15 or fewer calendar days prior to the first scheduled day.

Travel, study and writing: Base fee prorated.

Expenses: Transportation from nearest address, lodging and meals at actual cost. Personal auto at IRS rate.

ADDITIONAL INFORMATION & DECISIONS: www.jjminckler.com